



MAIL STOP - AMENDMENT
Docket No.: 27599U

ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Art Unit: Unknown

KAUTZ, Ulrich

Examiner: Unknown

Appl. No.: 10/590,805

Filing Date: August 25, 2006

Intl. Appl. No.: PCT/EP2005/050946

Intl. Filing Date: March 3, 2005 (03.03.2005)

For: **NOVEL HETEROCYCLE-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES
AND THEIR USE AS PDE4 INHIBITORS**


THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

1. Supplemental Information Disclosure Statement;
2. Supplemental PTO Form-1449 with 4 references cited; and
3. Copies of the 4 cited references.

The Commissioner is hereby authorized to charge any
deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP PLLC

February 9, 2007


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Supplemental Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☒ [XXX] The enclosed supplemental statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☐ [] The enclosed supplemental statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
- The enclosed supplemental statement is accompanied by [check one]:
- ☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
- ☐ ii. a check in the amount required by 37 C.F.R.

1.17(p).

- c. ☐ The enclosed supplemental statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
☐ Certification report(e) below; and
☐ a check in the amount as required by 1.17(p).
- d. ☐ The enclosed supplemental statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.
- e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
☐ I hereby certify that each item of information contained in the enclosed Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or
☐ I hereby certify that no item of information in the enclosed Supplemental Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.
or
☐ Appropriate certification is attached.
- f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

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- g. [XXX] Copies of the documents are attached herewith with a completed Supplemental PTO Form-1449.

or

- [] Copies of the documents are not attached, with a completed Supplemental PTO Form-1449 as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

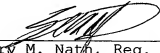
- [] Copies of US Patents/Publications not attached, with a completed Supplemental PTO Form-1449 as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Supplemental PTO Form-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Supplemental PTO Form-1449, and return a copy of the initialed Supplemental PTO Form-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
THE NATH LAW GROUP PLLC

February 9, 2007



Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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PTO FORM-1449 SUPPLEMENTAL <u>INFORMATION DISCLOSURE</u> <u>CITATION</u>		In re Application of:	
		KAUTZ, Ulrich	
		Application No:	Art Unit:
		10/590,805	Unknown
		Filed:	Examiner:
		August 25, 2006	Unknown
OTHER			
(Including Author, Title, Date, Pertinent Pages, etc.)			
RD	A1	"Souness, J.E., "Immunosuppressive and anti-inflammatory effects of cyclic AMP phosphodiesterase (PDE) type 4 inhibitors". <u>Immunopharmacology</u> , Vol. 47, pg. 127-162, 2000".	
RD	A2	"Dyke, H.J., "Update on the therapeutic potential of PDE4 inhibitors". <u>Expert Opinion on Investigational Drugs</u> , Vol. 11, No. 1, pg. 1-13, 2002".	
RD	A3	"Montana, J., "Chapter 5. Phosphodiesterase 4 Inhibitors". <u>Annual Reports Med Chem</u> , Vol. 36, pg. 47-56, 2001.	
Rd	A4	"Schmidt, B.J., "The phosphodiesterase 4 inhibitor roflumilast is effective in the treatment of allergic rhinitis". <u>Allergy Clin Immunol</u> , Vol. 108, pg. 530-536, 2001".	
	A5		
	A6		
	A7		
	A8		
	A9		
	A10		
	A11		
	A12		
	A13		
	A14		
	A15		
Examiner		Date Considered	
/Rita Desai/		8/12/09	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.			